IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 101 OF 1998

Shri Sanjay Yeshwant Lad ..Petitioner

Vs.

Shri Purushottam Shankar Joshi
and ors. ..Respondents

None for the petitioner.
Mrs. M.P. Thakur, AGP for State.

CORAM: B.H. MARLAPALLE & NARESH H. PATIL,JJ.

Date : September 28, 2006.

P.C.:

1. The petitioner was served with the court notice and inspite of such service he has not caused his appearance either in person or through an Advocate.

2. The petitioner’s challenge is to the order dated 6/11/1997 passed by the learned Joint Charity Commissioner in the proceedings under Section 70A of the Bombay Public Trust Act, 1950. In the said order it has been noted that from June 1996 the learned Advocate appearing for the revision petitioner had

started his oral arguments and over a period of one and half years every time the revision was called out, he continued to advance his arguments. The learned Joint Charity Commissioner, therefore, called upon the counsel to curtail his arguments only to the points in issue and at that stage the learned Advocate filed an application for adjournment. This application came to be rejected by the impugned order and the reasons given therein cannot be termed as perverse or grossly erroneous. The learned Joint Charity Commissioner was justified in passing the impugned order.

3. Hence the petition is hereby rejected. Ad-interim order stands vacated. Writ to go to the leaned Joint Charity Commissioner forthwith.

(Naresh H. Patil, J.) **(B.H. Marlapalle,J.)**